

Message Text

UNCLASSIFIED

PAGE 01 CARACA 04834 301334Z

46

ACTION SCSE-00

INFO OCT-01 ISO-00 L-03 ARA-10 SCA-01 /015 W

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R 292032Z MAY 74

FM AMEMBASSY CARACAS

TO SECSTATE WASHDC 3991

UNCLAS CARACAS 04834

FOR SCS

E.O. 11652: N/A

TAGS: CGEN

SUBJECT: AMBASSADOR'S RESPONSE TO VIDEO TECHNIQUES, INC.

REF: A) STATE 103584 B) CARACAS OM OF APRIL 17, 1974

C) CARACAS 2639 D) CARACAS 2595

E) SCHWARTZ LETTER TO EAGLEBURGER OF MAY 20.

1. IN THE LIGHT OF ADVICE CONTAINED IN REF A, AND IN CONSIDERATION OF THE FACT THAT IT COULD IN NO WAY SERVE ANY GENERAL UNITED STATES INTEREST IN VENEZUELA FOR ME TO APPEAR IN A U.S. COURT TO TESTIFY ON THE RECTITUDE OR LACK OF IT OF CERTAIN VENEZUELAN PERSONAGES INVOLVED IN THE SQUALID FOREMAN-NORTON TAX FIGHT, I SUBMIT FOR THE DEPARTMENT'S JUDGMENT A SECOND PROPOSED REPLY TO MR. HENRY A. SCHWARTZ.

2. IF THE PROPOSED RESPONSE IS SENT TO THE ADDRESSEE, AND IF HE PERSISTS IN SEEKING A STATEMENT FROM ME FOR USE IN U.S. JURISDICTION, I WOULD PROPOSE TO ANSWER BY SAYING THAT I HAVE NOTHING TO ADD TO MY EARLIER LETTER.

3. HERewith DRAFT TEXT OF PROPOSED LETTER TO SCHWARTZ. IF DEPARTMENT APPROVES, TEXT COULD BE SENT HIM DIRECTLY FROM WASHINGTON. QTE. MR. HENRY A. SCHWARTZ, EXECUTIVE VICE PRESIDENT, VIDEO TECHNIQUES, INC., 39 WEST 55TH STREET, NEW YORK, NEW YORK 10019. DEAR MR. SCHWARTZ: I REGRET THE DELAY IN THE ACKNOWLEDGMENT OF YOUR LETTER
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TO ME OF APRIL 11, 1974, CONCERNING YOUR DISPUTE WITH

THE POLIEDRO AND THE INSTITUTO NACIONAL DE HIPODROMOS
ON PAYMENT OF TAXES IN CONNECTION WITH THE FOREMAN-
NORTON FIGHT LAST MARCH.

QTE. MY ORIGINAL RESPONSE WAS TO HAVE REACHED YOU
THROUGH THE DEPARTMENT OF STATE, BUT WAS OVERTAKEN EN
ROUTE BY CONSULTATIONS WITH DEPARTMENT OFFICIALS ON
LEGAL AND OTHER ASPECTS OF THE MATTER, RESULTING IN
THIS BELATED LETTER.

QTE IT HAS BEEN DETERMINED THAT UNDER VENEZUELAN
LAW AND PROCEDURE THERE IS NO WAY FOR ME OR ANOTHER
MEMBER OF MY MISSION TO MAKE A LOCALLY VALID AFFIDAVIT
OR STATEMENT OF THIS NATURE. THIS IS BECAUSE AS
DIPLOMATIC PERSONS ACCREDITED TO VENEZUELA, WE ARE NOT
UNDER ITS CRIMINAL OR CIVIL JURISDICTION, AND ITS
JUDICIAL AUTHORITIES DO NOT ACCEPT AFFIDAVITS OF
PERSONS IMMUNE FROM THEIR JURISDICTION.

QTE IN ANY CASE, I DO NOT BELIEVE THAT I AM IN
A POSITION TO ADD MATERIALLY TO THE RECORD.

QTE BETTER LUCK IN KINSHASHA*

QTE SINCERELY YOURS, ROBERT MCCLINTOCK, AMERICAN
AMBASSADOR. END QTE.

MCCLINTOCK

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NNN

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